

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

WINERIES OF THE OLD MISSION
PENINSULA (WOMP) ASSOC., a Michigan
Nonprofit Corporation, et al.,

Plaintiffs,

v

PENINSULA TOWNSHIP, Michigan Municipal
Corporation,
Defendant.

Case No: 1:20-cv-01008

Honorable Paul L. Maloney
Magistrate Judge Ray S. Kent

**EXPEDITED CONSIDERATION
REQUESTED**

**PLAINTIFFS' MOTION TO ENFORCE SETTLEMENT OR FOR SANCTIONS
AGAINST PENINSULA TOWNSHIP**

Plaintiffs move to enforce a settlement agreement reached with Defendant Peninsula Township on September 13, 2021. In the alternative, Plaintiffs request that the Court order Peninsula Township to show cause why an order of sanctions should not issue under Federal Rule of Civil Procedure 16(f) and the Court's inherent authority because Defendant negotiated in bad faith and without settlement authority when it represented that it was cloaked with authority to negotiate a settlement. Plaintiffs rely on the attached brief and accompanying documents in support of their motion. Plaintiffs requested concurrence in this motion under Local Civil Rule 7.1(d), by email on October 11, 2021 but concurrence was not obtained. Plaintiffs request expedited consideration under Local Civil Rule 7.1(e) because this motion could resolve all pending claims in this matter and allow the parties to avoid unnecessary discovery, depositions, and motion practice.

WHEREFORE, Plaintiffs request that the Court enforce the settlement agreement reached between the parties with their attorneys and representatives and confirmed by the court appointed

mediator on September 13, 2021. In the alternative, Plaintiffs request that the Court order Peninsula Township to show cause why an order of sanctions should not issue for their negotiating in bad faith and without settlement authority when its representatives represented that they had full settlement authority.

Respectfully submitted,

By: /s/ Joseph M. Infante
Joseph M. Infante (P68719)
Stephen M. Ragatzki (P81952)
Christopher J. Gartman (P83286)
99 Monroe Avenue NW, Suite 1200
Grand Rapids, MI 49503
(616) 776-6333

Dated: October 12, 2021